

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

400Q0190

## SENATE BILL NO. 41

Introduced by: The Committee on State Affairs at the request of the Department of Tourism  
and State Development

1 FOR AN ACT ENTITLED, An Act to revise the definition of wind easements.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 43-13-16 be amended to read as follows:

4 43-13-16. For purposes of §§ 43-13-17 to 43-13-19, inclusive, the term, wind easement,  
5 means a right, whether or not stated in the form of a restriction, option to obtain an easement,  
6 easement, covenant, or condition, in any deed, will, or other instrument executed by or on behalf  
7 of any owner of land or air space for the purpose of ensuring adequate exposure of a wind power  
8 system to the winds.

